

Senate Study Bill 1037

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S
BUDGET BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to appropriation matters by making, increasing,
2 and reducing appropriations for the fiscal year beginning July
3 1, 2004, and providing effective and applicability date
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1590XG 81
7 jp/gg/14

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1 1 DIVISION I
1 2 ADMINISTRATION AND REGULATION
1 3 GOVERNOR AND LIEUTENANT GOVERNOR
1 4 Section 1. 2004 Iowa Acts, chapter 1175, section 12,
1 5 subsection 4, is amended to read as follows:
1 6 4. NATIONAL GOVERNORS ASSOCIATION
1 7 For payment of Iowa's membership in the national governors
1 8 association:
1 9 \$ ~~64,393~~
1 10 364,393
1 11 Of the funds appropriated in this subsection, \$300,000 is
1 12 allocated for expenses associated with the national governors
1 13 association national meeting.
1 14 RACING AND GAMING COMMISSION
1 15 Sec. 2. 2004 Iowa Acts, chapter 1175, section 16,
1 16 subsection 2, is amended to read as follows:
1 17 2. EXCURSION BOAT REGULATION
1 18 There is appropriated from the general fund of the state to
1 19 the racing and gaming commission of the department of
1 20 inspections and appeals for the fiscal year beginning July 1,
1 21 2004, and ending June 30, 2005, the following amount, or so
1 22 much thereof as is necessary, to be used for the purposes
1 23 designated:
1 24 For salaries, support, maintenance, and miscellaneous
1 25 purposes for administration and enforcement of the excursion
1 26 boat gambling laws, and for not more than the following full=
1 27 time equivalent positions:
1 28 \$ ~~1,806,048~~
1 29 1,856,048
1 30 FTEs 30.22
1 31 Of the funds appropriated in this subsection, \$50,000 is
1 32 allocated for costs associated with the examination of new
1 33 gaming license applications.
1 34 DEPARTMENT OF MANAGEMENT
1 35 Sec. 3. 2004 Iowa Acts, chapter 1175, section 18, is
2 1 amended by adding the following new subsection:
2 2 NEW SUBSECTION. 5. INNOVATIONS FUND
2 3 To be credited to the innovations fund created in section
2 4 8.63:
2 5 \$ 3,000,000
2 6 DIVISION II
2 7 EARLY CHILDHOOD INITIATIVES
2 8 Sec. 4. DEPARTMENT OF EDUCATION. There is appropriated
2 9 from the general fund of the state to the department of
2 10 education for the fiscal year beginning July 1, 2004, and
2 11 ending June 30, 2005, the following amounts, or so much
2 12 thereof as is necessary, to be used for the purposes
2 13 designated:
2 14 1. To develop a voluntary statewide set of early learning
2 15 standards for three-year-olds and four-year-olds enrolled in a

2 16 preschool program funded by state or federal dollars and to
 2 17 provide professional development to preschool program staff
 2 18 regarding the early learning standards and other related
 2 19 issues:
 2 20 \$ 604,500
 2 21 2. For deposit in the school ready children grants account
 2 22 of the Iowa empowerment fund created in section 28.9:
 2 23 \$ 4,465,156
 2 24 3. For at-risk children programs in addition to the
 2 25 funding appropriated for this purpose in section 279.51,
 2 26 subsection 1:
 2 27 \$ 20,000,000
 2 28 The moneys appropriated in this subsection shall be
 2 29 allocated for the purposes described in section 279.51,
 2 30 subsection 1, paragraph "b", and for administrative costs as
 2 31 provided in section 279.51, subsection 1, paragraph "d".
 2 32 Sec. 5. DEPARTMENT OF HUMAN SERVICES. There is
 2 33 appropriated from the general fund of the state to the
 2 34 department of human services for the fiscal year beginning
 2 35 July 1, 2004, and ending June 30, 2005, the following amount,
 3 1 or so much thereof as is necessary, to be used for the
 3 2 purposes designated:
 3 3 For the state child care assistance program, including
 3 4 implementing expanded income eligibility for the program and a
 3 5 revised reimbursement methodology, as authorized in law, and
 3 6 for design and implementation of the child care quality rating
 3 7 system:
 3 8 \$ 13,531,985
 3 9 Sec. 6. DEPARTMENT OF MANAGEMENT. There is appropriated
 3 10 from the general fund of the state to the department of
 3 11 management for the fiscal year beginning July 1, 2004, and
 3 12 ending June 30, 2005, the following amount, or so much thereof
 3 13 as is necessary, to be used for the purposes designated:
 3 14 For the community empowerment office to improve
 3 15 coordination of early care and health and education systems:
 3 16 \$ 500,000
 3 17 Sec. 7. NONREVERSION == IMPLEMENTATION.
 3 18 1. Notwithstanding section 8.33, moneys appropriated in
 3 19 this division of this Act that remain unencumbered or
 3 20 unobligated at the close of the fiscal year shall not revert
 3 21 but shall remain available for expenditure for the purposes
 3 22 designated until the close of the succeeding fiscal year.
 3 23 2. The departments receiving the appropriations made in
 3 24 this division of this Act shall expeditiously complete design,
 3 25 planning, and phase-in activities as necessary for
 3 26 implementation activities and distribution of funding which
 3 27 shall commence on or after July 1, 2005.
 3 28 DIVISION III
 3 29 EDUCATION
 3 30 DEPARTMENT FOR THE BLIND
 3 31 Sec. 8. 2004 Iowa Acts, chapter 1175, section 78,
 3 32 unnumbered paragraph 2, is amended to read as follows:
 3 33 For salaries, support, maintenance, miscellaneous purposes
 3 34 and for not more than the following full-time equivalent
 3 35 positions:
 4 1 \$ ~~1,541,907~~
 4 2 1,641,907
 4 3 FTEs 109.51
 4 4 DIVISION IV
 4 5 HEALTH AND HUMAN SERVICES
 4 6 DEPARTMENT OF HUMAN SERVICES
 4 7 Sec. 9. 2004 Iowa Acts, chapter 1175, section 116,
 4 8 unnumbered paragraph 2, is amended to read as follows:
 4 9 For medical assistance reimbursement and associated costs
 4 10 as specifically provided in the reimbursement methodologies in
 4 11 effect on June 30, 2004, except as otherwise expressly
 4 12 authorized by law, including reimbursement for abortion
 4 13 services, which shall be available under the medical
 4 14 assistance program only for those abortions which are
 4 15 medically necessary:
 4 16 \$~~352,794,101~~
 4 17 512,794,101
 4 18 Sec. 10. 2004 Iowa Acts, chapter 1175, section 118,
 4 19 unnumbered paragraph 2, is amended to read as follows:
 4 20 For medical contracts, including salaries, support,
 4 21 maintenance, and miscellaneous purposes, and for not more than
 4 22 the following full-time equivalent positions:
 4 23 \$ ~~9,725,035~~
 4 24 10,725,035
 4 25 FTEs 1.00
 4 26 Sec. 11. 2004 Iowa Acts, chapter 1175, section 130,

4 27 subsections 1 and 2, are amended to read as follows:
 4 28 1. For the state resource center at Glenwood for salaries,
 4 29 support, maintenance, and miscellaneous purposes:
 4 30 \$ ~~8,550,280~~
 4 31 9,550,280
 4 32 2. For the state resource center at Woodward for salaries,
 4 33 support, maintenance, and miscellaneous purposes:
 4 34 \$ ~~4,520,459~~
 4 35 5,520,459
 5 1 Sec. 12. 2004 Iowa Acts, chapter 1175, section 134,
 5 2 subsection 1, unnumbered paragraph 2, is amended to read as
 5 3 follows:
 5 4 For costs associated with the commitment and treatment of
 5 5 sexually violent predators in the unit located at the state
 5 6 mental health institute at Cherokee, including costs of legal
 5 7 services and other associated costs, including salaries,
 5 8 support, maintenance, and miscellaneous purposes:
 5 9 \$ ~~2,833,646~~
 5 10 3,233,646
 5 11 DIVISION V
 5 12 SENIOR LIVING TRUST FUND
 5 13 Sec. 13. 2004 Iowa Acts, chapter 1175, section 165,
 5 14 subsection 2, is amended to read as follows:
 5 15 2. To supplement the medical assistance appropriation,
 5 16 including program administration and costs associated with
 5 17 implementation, salaries, support, maintenance, and
 5 18 miscellaneous purposes, and for not more than the following
 5 19 full-time equivalent positions:
 5 20 \$~~101,600,000~~
 5 21 61,600,000
 5 22 FTEs 5.00
 5 23 Sec. 14. 2004 Iowa Acts, chapter 1175, section 169, is
 5 24 amended to read as follows:
 5 25 SEC. 169. MEDICAL ASSISTANCE PROGRAM == ~~REVERSION TO~~
~~5 26 SENIOR LIVING TRUST FUND FOR FY 2004-2005 NONREVERSION.~~
 5 27 Notwithstanding section 8.33, if moneys appropriated in this
 5 28 Act for purposes of the medical assistance program for the
 5 29 fiscal year beginning July 1, 2004, and ending June 30, 2005,
 5 30 from the general fund of the state, the senior living trust
 5 31 fund, the hospital trust fund, or the healthy Iowans tobacco
 5 32 trust fund ~~are in excess of actual expenditures for the~~
~~5 33 medical assistance program and that remain unencumbered or~~
 5 34 ~~unobligated at the close of the fiscal year, the excess moneys~~
 5 35 ~~shall not revert but shall be transferred to the senior living~~
~~6 1 trust fund created in section 249H.4 remain available for~~
~~6 2 expenditure for the medical assistance program until the close~~
~~6 3 of the succeeding fiscal year.~~
 6 4 DIVISION VI
 6 5 JUDICIAL BRANCH
 6 6 Sec. 15. 2004 Iowa Acts, chapter 1175, section 176,
 6 7 unnumbered paragraph 2, is amended to read as follows:
 6 8 For salaries of supreme court justices, appellate court
 6 9 judges, district court judges, district associate judges,
 6 10 judicial magistrates and staff, state court administrator,
 6 11 clerk of the supreme court, district court administrators,
 6 12 clerks of the district court, juvenile court officers, board
 6 13 of law examiners and board of examiners of shorthand reporters
 6 14 and judicial qualifications commission, receipt and
 6 15 disbursement of child support payments, reimbursement of the
 6 16 auditor of state for expenses incurred in completing audits of
 6 17 the offices of the clerks of the district court during the
 6 18 fiscal year beginning July 1, 2004, and maintenance,
 6 19 equipment, and miscellaneous purposes:
 6 20 \$~~117,837,862~~
 6 21 119,337,862
 6 22 DIVISION VII
 6 23 JUSTICE SYSTEM
 6 24 DEPARTMENT OF CORRECTIONS == FACILITIES
 6 25 Sec. 16. 2004 Iowa Acts, chapter 1175, section 183,
 6 26 subsection 1, paragraph c, is amended to read as follows:
 6 27 c. For the operation of the Oakdale correctional facility,
 6 28 including salaries, support, maintenance, and miscellaneous
 6 29 purposes:
 6 30 \$ ~~23,536,936~~
 6 31 23,636,936
 6 32 Of the funds allocated in this paragraph "c", \$100,000 is
~~6 33 allocated for the costs of remodeling and construction to~~
~~6 34 establish a specialized 24-bed mental health unit for~~
~~6 35 offenders who are not ordered to inpatient mental health~~
~~7 1 treatment. The unit shall operate as an adjunct to the~~
~~7 2 licensed hospital program within the Oakdale correctional~~

7 3 facility.

7 4 DEPARTMENT OF CORRECTIONS == ADMINISTRATION

7 5 Sec. 17. 2004 Iowa Acts, chapter 1175, section 184,

7 6 subsection 1, paragraph a, unnumbered paragraph 1, is amended

7 7 to read as follows:

7 8 For general administration, including salaries, support,

7 9 maintenance, employment of an education director to administer

7 10 a centralized education program for the correctional system,

7 11 and miscellaneous purposes:

7 12 \$ ~~2,784,393~~

7 13 3,198,809

7 14 Sec. 18. 2004 Iowa Acts, chapter 1175, section 188, is

7 15 amended to read as follows:

7 16 SEC. 188. STATE PUBLIC DEFENDER. There is appropriated

7 17 from the general fund of the state to the office of the state

7 18 public defender of the department of inspections and appeals

7 19 for the fiscal year beginning July 1, 2004, and ending June

7 20 30, 2005, the following amounts, or so much thereof as is

7 21 necessary, to be allocated as follows for the purposes

7 22 designated:

7 23 1. For salaries, support, maintenance, and miscellaneous

7 24 purposes, and for not more than the following full-time

7 25 equivalent positions:

7 26 \$ ~~16,663,446~~

7 27 18,247,561

7 28 FTEs 202.00

7 29 2. For the fees of court-appointed attorneys for indigent

7 30 adults and juveniles, in accordance with section 232.141 and

7 31 chapter 815:

7 32 \$ ~~19,355,297~~

7 33 22,251,339

7 34 IOWA LAW ENFORCEMENT ACADEMY

7 35 Sec. 19. 2004 Iowa Acts, chapter 1175, section 189,

8 1 subsection 1, unnumbered paragraph 2, is amended to read as

8 2 follows:

8 3 For salaries, support, maintenance, miscellaneous purposes,

8 4 including jailer training and technical assistance, and for

8 5 not more than the following full-time equivalent positions:

8 6 \$ ~~1,066,890~~

8 7 1,216,890

8 8 FTEs 30.05

8 9 For the fiscal year beginning July 1, 2004, for cash flow

8 10 purposes, the Iowa law enforcement academy may temporarily

8 11 draw more funding than the amount appropriated in this

8 12 section, provided there are reimbursable receipts to be

8 13 credited for the use of the academy in an amount equal to or

8 14 greater than the excess amount drawn and the amount

8 15 appropriated in this section is not exceeded at the close of

8 16 the fiscal year.

8 17 DEPARTMENT OF PUBLIC SAFETY

8 18 Sec. 20. 2004 Iowa Acts, chapter 1175, section 192,

8 19 subsection 2, unnumbered paragraph 1, is amended to read as

8 20 follows:

8 21 For the division of criminal investigation and bureau of

8 22 identification, including the state's contribution to the

8 23 peace officers' retirement, accident, and disability system

8 24 provided in chapter 97A in the amount of 17 percent of the

8 25 salaries for which the funds are appropriated, to meet federal

8 26 fund matching requirements, and for not more than the

8 27 following full-time equivalent positions:

8 28 \$ ~~14,058,510~~

8 29 14,208,510

8 30 FTEs 221.50

8 31 Sec. 21. 2004 Iowa Acts, chapter 1175, section 193, is

8 32 amended to read as follows:

8 33 SEC. 193. CIVIL RIGHTS COMMISSION. There is appropriated

8 34 from the general fund of the state to the Iowa state civil

8 35 rights commission for the fiscal year beginning July 1, 2004,

9 1 and ending June 30, 2005, the following amount, or so much

9 2 thereof as is necessary, to be used for the purposes

9 3 designated:

9 4 For salaries, support, maintenance, miscellaneous purposes,

9 5 and for not more than the following full-time equivalent

9 6 positions:

9 7 \$ ~~825,752~~

9 8 881,752

9 9 FTEs 28.00

9 10 The Iowa state civil rights commission may enter into a

9 11 contract with a nonprofit organization to provide legal

9 12 assistance to resolve civil rights complaints.

9 13 DIVISION VIII

9 14 Sec. 22. EFFECTIVE DATE. Unless specifically provided
9 15 otherwise, this Act, being deemed of immediate importance,
9 16 takes effect upon enactment.

9 17 EXPLANATION

9 18 This bill relates to appropriation matters by making,
9 19 increasing, and reducing appropriations for the fiscal year
9 20 beginning July 1, 2004. Unless stated otherwise, the affected
9 21 appropriations are from the general fund of the state. The
9 22 bill is organized into divisions.

9 23 ADMINISTRATION AND REGULATION. This division provides
9 24 supplemental appropriations to the offices of the governor and
9 25 lieutenant governor for the national meeting of the national
9 26 governor's association, the racing and gaming commission of
9 27 the department of inspections and appeals for examination of
9 28 new gaming license applications, and the department of
9 29 management to be credited to the innovations fund.

9 30 EARLY CHILDHOOD INITIATIVES. This division makes
9 31 appropriations for early childhood initiatives to the
9 32 department of education for design and implementation of Iowa
9 33 early learning standards, additional school ready children
9 34 grant funding, and additional at-risk children funding; to the
9 35 department of human services for child care quality and the
10 1 state child care assistance program eligibility expansion and
10 2 reimbursement methodology; and to the department of management
10 3 for the community empowerment office. Moneys appropriated are
10 4 subject to a nonreversion clause so that unexpended amounts
10 5 may be used in the succeeding fiscal year. The departments
10 6 receiving appropriations are directed to expeditiously
10 7 complete design, planning, and phase-in activities as
10 8 necessary for implementation activities and distribution of
10 9 funding which shall commence on or after July 1, 2005.

10 10 EDUCATION. This division provides a supplemental
10 11 appropriation to the department for the blind.

10 12 HEALTH AND HUMAN SERVICES. This division provides
10 13 supplemental appropriations to the department of human
10 14 services for the medical assistance (Medicaid) program,
10 15 medical contracts, state resource centers, and the unit for
10 16 commitment and treatment of sexually violent predators.

10 17 SENIOR LIVING TRUST FUND. This division reduces an
10 18 appropriation made from the senior living trust fund to the
10 19 department of human services for the medical assistance
10 20 program. In addition, the division revises language that
10 21 directed that unexpended appropriations made in FY 2004=2005
10 22 for purposes of the medical assistance program be transferred
10 23 to the senior living trust fund. Instead, the bill provides
10 24 that the unexpended moneys will be carried forward to the
10 25 succeeding fiscal year to be used for the medical assistance
10 26 program.

10 27 JUDICIAL BRANCH. This division provides a supplemental
10 28 appropriation to the judicial branch.

10 29 JUSTICE SYSTEM. This division provides supplemental
10 30 appropriations to the department of corrections for the
10 31 Oakdale correctional facility to establish a mental health
10 32 unit, the department of corrections for general
10 33 administration, the state public defender, the Iowa law
10 34 enforcement academy, the department of public safety division
10 35 of criminal investigation and bureau of identification, and
11 1 the civil rights commission. The Iowa law enforcement academy
11 2 is temporarily authorized to draw in excess of its general
11 3 fund appropriation for cash flow purposes provided the
11 4 appropriation is not exceeded at the close of the fiscal year.

11 5 EFFECTIVE DATE. This division provides that the bill takes
11 6 effect upon enactment.

11 7 LSB 1590XG 81

11 8 jp/gg/14.1